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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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CHARLES H. LEWIS and JANE W. LEWIS,

Plaintiffs,

v.

NO. CIV. 2:03-2646 WBS GGH

ORDER RE: RESETTING STATUS  
(PRETRIAL SCHEDULING)  
CONFERENCE

ROBERT D. RUSSELL; IRENE RUSSELL; BEN J. NEWITT; the Estate of PHILLIP NEWITT, Deceased; JUNG HANG SUH; SOO JUNG SUH; JUNG K. SEO; THE DAVIS CENTER, LLC; MELVIN R. STOVER, individually and as trustee of the Stover Family Trust; EMILY A. STOVER, individually and as trustee of the Stover Family Trust; STOVER FAMILY TRUST; RICHARD ALBERT STINCHFIELD, individually and as successor trustee of the Robert S. Stinchfield Separate Property Revocable Trust, and as trustee of the Barbara Ellen Stinchfield Testamentary Trust; ROBERT S. STINCHFIELD SEPARATE PROPERTY REVOCABLE TRUST; THE BARBARA ELLEN STINCHFIELD TESTAMENTARY TRUST; WORKROOM SUPPLY, INC., a California corporation; SAFETY-KLEEN CORPORATION,

1 California corporation; the  
2 CITY OF DAVIS; JENSEN  
3 MANUFACTURING COMPANY; VIC  
4 MANUFACTURING COMPANY; MARTIN  
5 FRANCHISES INC., aka/dba  
6 MARTINIZING DRY CLEANING,

7 Defendants,  
8 \_\_\_\_\_/

9 AND RELATED COUNTER, CROSS,  
10 AND THIRD-PARTY CLAIMS.  
11 \_\_\_\_\_/

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13 As it appears that defendants, cross-defendants,  
14 counter-defendants, counter-claimants, and cross-claimants Jung  
15 Hang Suh and Soo Jung Suh ("the Suhs") were not served with the  
16 court's prior Order setting a Status (Pretrial Scheduling)  
17 Conference (Docket No. 334), the court hereby RESETS the Status  
18 (Pretrial Scheduling) Conference for April 18, 2011, at 2:00 p.m.  
19 in Courtroom No. 5. **Failure of a party to comply with the  
20 requirements enumerated in this Order may result in sanctions  
21 including, but not limited to, dismissal of that party's claims  
22 and/or an entry of default against the party.**

23 IT IS ORDERED THAT:

24 1. At least twenty-one (21) calendar days before the  
25 scheduling conference is held, the parties shall confer and  
26 attempt to agree upon a discovery plan, as required by Federal  
27 Rule of Civil Procedure 26(f).

28 2. Pursuant to Local Rule 240, the parties shall  
submit to the court an amended JOINT Status Report **fourteen (14)**  
**calendar days** prior to the hearing date, which shall contain the  
Suhs' amendments to the previously-submitted Joint Status Report

1 regarding the following information:

2 (a) a brief summary of the claims;

3 (b) a statement as to the status of service upon  
4 all defendants and cross-defendants;

5 (c) a statement as to the possible joinder of  
6 additional parties;

7 (d) any contemplated amendments to the pleadings;

8 (e) the statutory basis of jurisdiction and venue;

9 (f) a written report outlining the proposed  
10 discovery plan required by Federal Rule of Civil Procedure 26(f);

11 (g) a proposed cut-off date by which all discovery  
12 shall be concluded;

13 (h) a proposed date by which all motions shall be  
14 filed and heard;

15 (i) any proposed modification of standard pretrial  
16 proceedings due to the special nature of the action;

17 (j) the estimated length of trial;

18 (k) a statement as to whether the case is related  
19 to any other case, including any matters in bankruptcy;

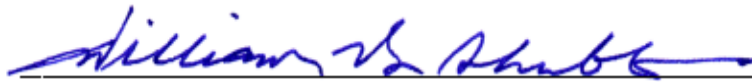
20 (l) any other matters discussed in Local Rule 240  
21 that may add to the just and expeditious disposition of this  
22 matter; and

23 (m) a statement by any nongovernmental corporate  
24 party identifying all of its parent and subsidiary corporations  
25 and listing any publicly-held company that owns 10% or more of  
26 the party's stock. If any nongovernmental corporate party has no  
27 parent or subsidiary corporations or no publicly-held companies  
28 owning 10% or more of its stock, it shall so state in the Joint

1 Status Report. Thereafter, if there is any change in the  
2 information, the party shall file and serve a supplemental  
3 statement within a reasonable time after such change occurs.

4 3. In appropriate cases, and after receiving the  
5 parties' Joint Status Report, the court may issue a Status  
6 (Pretrial Scheduling) Order without requiring a status  
7 conference. Unless the parties have received such an order prior  
8 to the status conference, the parties are required to attend the  
9 status conference as scheduled. **Failure of counsel or of a  
10 pro se party to attend the status conference as scheduled may  
11 result in sanctions, including but not limited to dismissal of  
12 that party's claims and/or an entry of default against the party.**

13 DATED: March 17, 2011

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15 WILLIAM B. SHUBB  
16 UNITED STATES DISTRICT JUDGE  
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